



United States Mission to the OSCE

Statement on Freedom of Expression and Free Media

As delivered by Mr. Gavin Helf, Public Member
to the Human Dimension Implementation Meeting, Warsaw
October 6, 2004

As an advocate for and defender of freedoms of expression and media, the United States wishes to thank Representative on Freedom of the Media Miklos Haraszti for his work to protect these freedoms on the Internet and in the traditional media. We also appreciate his efforts to promote personal safety for journalists, combat media laws criminalizing libel, and address intolerance in the media. Sadly, however, restrictions on media freedoms have continued to be a problem in the OSCE region since our last meeting.

In recent years, the murders of numerous journalists in Russia and the failure of Russian authorities to track down and punish the killers is deeply disturbing. In October 2003, the editor-in-chief of *Tolyatinskoye Obozreniye*, Aleksei Sidorov, was stabbed to death outside his home in Togliatti. Sidorov was the second editor of that independent daily to be murdered in Russia in 18 months. On July 9, Paul Klebnikov, the head of *Forbes* Russia, was shot and killed in front of his office building in Moscow. Executive Director of the Committee to Protect Journalists and recipient of the OSCE Prize for Journalism and Democracy, Ann Cooper, has described Russia as one of the world's most dangerous places to be a journalist. The CPJ has documented 14 cases since 2000 in which journalists in Russia were killed in connection with their work. In none of these cases has a killer been brought to justice. We call upon the Russian Government to aggressively investigate these crimes and bring the perpetrators to justice.

Since January, Ukrainian authorities have harassed, closed and filed lawsuits against numerous electronic and print media. A number of radio and television stations have been taken off the air either temporarily or completely. Print runs were permanently or temporarily stopped for four newspapers. *Ukraina Moloda*, *Ukrainska Pravda*, and TV Channel 5 face politically motivated lawsuits. Volia cable, a leading cable operator in Ukraine that carries the only opposition channel, is experiencing severe pressure from the authorities. Reporters face daily harassment and censorship for their reporting. Those journalists whose still unresolved murders are linked to high-ranking Ukrainian government authorities include Heorhiy Gongadze and Ihor Alexandrov. The Government of Ukraine must cease these violations of both its OSCE commitments and the laws of Ukraine. Suppression of the media to control the electoral process cannot be tolerated. We call upon this government to act as a modern and accountable member of the community of nations and adhere to the rule of law.

In Belarus, there are ongoing efforts to stifle independent media. Several independent newspapers have been suspended while huge fines have been imposed on journalists who criticize President Lukashenko or his supporters. Independent newspapers have limited access to state printers and distributors; private printers and distribution networks are non-existent. At the same time, opposition groups have no meaningful access to state media,

which is blatantly pro-government and negative towards both pro-democracy forces and the opposition. The Belarusian authorities should immediately cease the ongoing suppression of their citizens' speech and media rights, and restore their ability to produce and distribute free and uncensored newspapers and video.

In Central Asia, where a chilling environment for journalists fosters high levels of self-censorship, freedom of the media remains constrained. Turkmenistan is still without any independent or opposition media. Although pre-publication censorship was lifted in Uzbekistan, new regulations making editors and publishers responsible for content means media outlets continue to behave as if the formal lifting of censorship had never happened. In Kazakhstan, although President Nazarbayev did not sign a restrictive draft law on the media, independent and opposition print media outlets have experienced threats and pressure; the most recent example was the case launched by President Nazarbayev's staff against the *Assandi Times* newspaper for libel. In Kyrgyzstan, we remain encouraged by the fact that there have been no new defamation or libel suits against independent editors, publishers and journalists since 2003. We strongly encourage Kazakhstan and Kyrgyzstan to continue their efforts to decriminalize libel, which would be a step forward for freedom of speech.

In Tajikistan, where up to now there has been progress in media freedom, there are troubling signs of backsliding, such as the July attack on an independent journalist and the August closure of the independent newspaper, *Ruzi Nav*, a printing house used by independent and opposition publications for alleged tax code violations. We hope these are just isolated incidents and that freedom of expression will continue to grow in Tajikistan.

The future of independent electronic media in Armenia and Azerbaijan is uncertain. In Armenia, licensing regulations and a media commission that is entirely appointed by the president have severely limited access to broadcast and electronic media for independent media outlets. Two prominent independent media outlets, A1+ and Noyan Tapan TV stations, have been shut for several years. In Azerbaijan, independent and opposition print media abound. However, officials have brought defamation suits against several publications, which have occasionally had to suspend publication. Moreover, there have been several cases of physical assault on journalists by unknown persons. We call upon the governments of both Armenia and Azerbaijan to cease the harassment of opposition and independent media through the courts and legal systems. Above all, physical attacks on journalists must cease and the perpetrators of such acts must promptly be brought to justice.

All the freedoms we discuss at these meetings mean nothing unless we can communicate freely and openly about our hopes, ideas and aspirations for ourselves, and for each other. We all must seek to enshrine the freedoms of speech and press for future generations.